

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C CLARK**, on January 7, 1999 at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: None.

Members Absent: None.

Staff Present: John MacMaster, Legislative Services Division
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: 1/7/99 HB 42, HB 53, HB 48,
Date Posted: 1/4/99

Executive Action: HB 38 DO PASS

Chairman Robert C. Clark called the meeting to order at 8:00 a.m.

HEARING ON HB 42

Sponsor:

Rep. Pavlovich presented opening remarks on HB 42
{Tape : 1; Side : A; Approx. Time Counter : 0 - 43}

Proponents:

Bill Houston, East Helena
{Tape : 1; Side : A; Approx. Time Counter : 43 - 83}

Opponents:

NONE

Informational Testimony:

Brenda Nordlund, Montana Department of Justice
{Tape : 1; Side : A; Approx. Time Counter : 83 - 150}

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Time Counter : 150 - 242}

Closing by Sponsor:

Rep. Pavlovich made closing remarks that stated he did not think
the youths would abuse the system.
{Tape : 1; Side : A; Approx. Time Counter : 242 - 259}

Chairman Robert Clark turned the chair over to Vice-Chair
McGee

HEARING ON HB 53

Sponsor:

Rep. Robert Clark presented HB 53.

{Tape : 1; Side : A; Approx. Time Counter : 259 - 301}

Proponents:

Dave Ohler, Montana Department of Corrections, Chief Legal Counsel

{Tape : 1; Side : A; Approx. Time Counter : 301 - 352}

Opponents:

Betty Waddell, Montana Association of Churches

{Tape : 1; Side : A; Approx. Time Counter : 352 - 454}

Rev. Robert Holmes, Helena

{Tape : 1; Side : A; Approx. Time Counter : 454 - 999}

Sharon Hoff, Montana Catholic Conference

{Tape : 1; Side : B; Approx. Time Counter : 0 - 20}

Eve Malo, Dillon

{Tape : 1; Side : B; Approx. Time Counter : 20 - 54}

Scott Creighton, ACLU

{Tape : 1; Side : B; Approx. Time Counter : 54 - 115}

Informational Testimony:

NONE

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 115 - 476}

Closing by Sponsor:

Chairman Robert Clark made closing statements

{Tape : 1; Side : B; Approx. Time Counter : 476 - 999}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 48}

Chairman Robert Clark resumed the chair.

HEARING ON HB 48

Sponsor:

Rep. McGee presented opening statements that HB 48.

{Tape : 2; Side : A; Approx. Time Counter : 48 - 125}

{Tape : 2; Side : A; Approx. Time Counter : 125 - 222}

Proponents:

John Connor, Chief Prosecutor, Attorney General's Office

{Tape : 2; Side : A; Approx. Time Counter : 222 - 279}

Opponents:

NONE

Informational Testimony:

NONE

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 279 - 321}

Closing by Sponsor:

Rep. Dan McGee made closing remarks.

{Tape : 2; Side : A; Approx. Time Counter : 321 - 335}

EXECUTIVE ACTION, HB 38

{Tape : 2; Side : A; Approx. Time Counter : 335 - 429}

General discussion among members regarding taking executive action on bills; procedural.

{Tape : 2; Side : A; Approx. Time Counter : 429 - 500}{Tape : 2; Side : B; Approx. Time Counter : 0 - 18}

Motion: moved by Rep. Wyatt that HB 38 do pass.

Vote: Motion carried 19-1 with Rep. Jore voting no.

{Tape : 2; Side : B; Approx. Time Counter : 18 - 33}

John Connor, from the Montana Attorney General's office gave further details regarding HB 48 that he previously had not stated.

{Tape : 2; Side : B; Approx. Time Counter : 33 - 81}

Motion: motion to adjourned passed unanimously.

ADJOURNMENT

Adjournment: 10:30 A.M.

REP. ROBERT C CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh04aad)